

REMARKS

Claims 1 and 4-15 are pending. By this Preliminary Amendment, Claims 1 and 5-6 and 8-15 are amended to address informalities therein. As such, Applicants respectfully submit that no new matter is presented herein.

Telephonic Interview

Applicants acknowledge and appreciate the courtesies extended to Applicants representatives during the telephonic interview, conducted on October 4, 2006. The points discussed during the interview are incorporated herein.

For example, during the interview, Applicants presented proposed amendments to the claims, which were believed to address the issues raised in the Final Office Action dated July 19, 2006, to verify the proposed amendments addressed the issues raised within the rejection of the claims under 35 U.S.C. §112, second paragraph. The proposed amendments are incorporated in the instant Preliminary Amendment.

In yet another example of what was discussed, Applicants' representatives explained that the term "lateral" was appropriate to define the force applied to the member because the collision load was applied in a direction taken along a longitudinal axis of the vehicle and the force could be applied, as discussed in the specification, in a manner that is perpendicular to the longitudinal axis. Furthermore, because the collision load is applied in what would be the x-axis, the lateral force could be applied along the z-axis (i.e., side-to-side direction) or along the y-axis (top-to-bottom direction), both of which can be considered to be "lateral", depending on the observer's perspective.

Furthermore, Applicants identified locations in the originally filed application which provide support for the recited features of the controller. One such exemplary location discussed was the paragraph on page 8, lines 16-25 and Figure 1 of the application.

Finally, Applicants pointed out that support for the proposed amendments to Claim 5 is provided in Figure 9 and the paragraph bridging pages 16-17 of the originally filed application (see paragraph [0057] of the published patent application).

In view of the above, and in light of the points discussed during the telephonic interview, Applicants respectfully submit that this Preliminary Amendment, which is filed with a Request for Continued Examination (RCE), places the instant application in condition for allowance.

Prompt and favorable examination on the merits is respectfully requested.

Conclusion

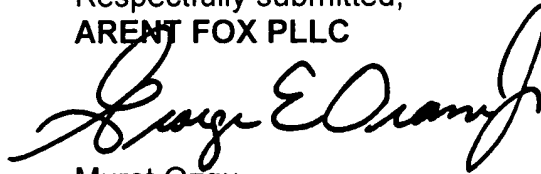
In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejection, allowance of Claims 1 and 4-15, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 106145-00064.**

Respectfully submitted,

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